

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA - WESTERN DIVISION**

IN RE:)	
)	
Geneva Manuel)	BK. NO. 13-71065-CMS-13
)	
)	
DEBTOR(S).)	

**MOTION TO MODIFY PLAN POST- CONFIRMATION
TO SURRENDER PERSONAL PROPERTY**

Come now Your Debtors, by and through counsel of record, and moves this Honorable Court pursuant to **§ 1322, § 1325 and § 1329 of the Bankruptcy Code** to enter an order modifying Debtor's Plan allowing Debtor to surrender collateral – one Kirby Cleaning System to United Consumer Financial Services. As grounds for this Motion, Your Debtor would show the following:

1. Debtors' plan was confirmed by this Honorable Court on August 8, 2013. Debtor's plan did not list this asset or this debt.
2. United Consumer Financial Services filed a secured claim on September 26, 2013 which was post-confirmation but still a timely claim. Said debt is secured by a Kirby Cleaning System.
3. Debtor attempted to return this after execution of the contract but before the bankruptcy and that was refused by the creditor.
4. Debtor requests that this Honorable Court approve the modification to surrender said property to Creditor and grant said Creditor relief from the automatic stay to accept surrender of said collateral.

WHEREFORE, Debtor requests Your Honor to enter an order modifying said plan accordingly.

Respectfully Submitted,

/s/ Eric M. Wilson

Eric M. Wilson
1902 8th Street
Tuscaloosa, AL 35401
(205) 349-1280

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following:

C. David Cottingham
Chapter 13 Standing Trustee
1307 25th Ave.
Tuscaloosa, AL 35401

United Consumer Financial
Bass & Associates PC
3936 E Ft. Lowell Suite 200
Tucson AZ 85712

By mailing a copy of the same in the U.S. Mail, properly addressed, and first class postage prepaid, or by hand delivery.

This the 13th day of November 2013.

/s/ Eric M. Wilson

Counsel for Debtor